[Shri Santosh Mohan Dev]
against the Government holding that the procedure followed in acquiring the land under Resettlement of Displaced Persons (Land Acquisition) Act, 1948 was defective and void. The Department has already filed an appeal against the order before the Division Bench and the same is still pending. The court has, however, directed that decretal amount should be deposited in court by 9th April, 1989 irrespective of the Appeal. Hence it is proposed to withdraw an amount of Rs. 47,73,000/- from contingency Fund.

Re. Laying of Thakkar Commission Report on the Table of the House

SHRI M. S. GURUPADASWAMY (Karnataka): Madam Deputy Chairman, yesterday the leaders of the Opposition submitted their views in respect of the Thakkar Commission Report. Broadly, they placed two alternatives before the Chairman, before the Government for their consideration. One alternative was, as you know, the entire material pertaining to the Report which includes memorandum, minutes, annexures and so on along with the investigation report should be made available to us so that we can have a meaningful, purposeful, realistic discussion. The second alternative was if they do not agree to place the entire material before Parliament - they should at least take the leaders of the Opposition into confidence and show the entire material to us to come to our own judgment in regard to sensitivity, confidentiality or otherwise of any part of the Report. But, unfortunately, both these choices, which we had put before them were truned down for no reason. Our stand is we cannot have a full debate, and we cannot discuss all the issues raised in these two Reports before us because of the innumerable references made to other documents. Therefore, I, on behalf of the entire Opposition would again....

[**Mr. Chairman** in the Chair]
Sir, I am referring to.....

MR. CHAIRMAN: I was listening to you.

SHRI M. S. GURUPADASWAMY: So, I would continue.

I would like the Government to respond to our request. Either they should place the entire material on the Table of the House, or, if they don't do so, they should take us into confidence and bring the entire material before us and we will discuss it among ourselves before we arrive at any conclusion. Therefore, I would like to know the view of the Government in this matter before we proceed further. In our view, there cannot be a useful discussion unless the entire material is made available. We are not going to be a party to a truncated discussion which will not in any way lead us to any conclusion in the matter. So, may I know from the Government—the Home Minister is here—whether they are prepared to place the entire material, including the investigation report before us.

SHRI DIPEN GHOSH (West Bengal): Mr. Chairman, Sir, yesterday, I, along with other colleagues of mine had, categorically stated that even for arguments's sake if it is accepted that certain parts of the report should not be laid on the Table because of their sensitivity by nature or confidentiality by nature, in the national interest, we are second to none in protecting the national interest. So, when even certain parts of the suppressed reports are finding way to the newspapers, let the leaders of the parties and groups be taken into confidence. Let it be shown to them in the chamber of the Chairman. I am completely confident that here the leaders are all sensible persons and they know what is sensitive and what is not. If it is sensitive, then surely they will keep it so sensitive and keep it confidential, but let the leaders be taken into confidence.

That proposal we had placed very categorically. The Government has not yet reacted to it. The leader of the House is here. The Home Minister is here. Let them say whether the leaders of the Opposition can be taken into confidence in so far as national interest is concerned. About national interest they have already proved that national interest is no more safe in their hands because the papers relating to the national interest have found their way to the newspapers. That is why let the leaders of the Opposition be taken into confidence. Let them say whether they are going to take us into confidence or not, whether they are going to show it to the Leaders of the Opposition or not.

SHRI PARVATHANENI UPENDRA (Andhra Pradesh) : Sir, only one-tenth of the report has been placed and the Government wants us to discuss it, and whatever has been published only indicates a very limited aspect of the whole matter, the commission's obsession with a certain individual. They tried to damn him. We are not interested in that part of the thing. we are interested in unearthing the conspiracy behind the assassination and the factors which let to the assassination, the agencies involved, whether they are Indian or foreign or whatever it is. There is much more which has not been revealed and unless all these factors are made known to us there cannot be any fruitful discussion. As I said yesterday, two-thirds of the report relates to one individual or his complicity or his guilt. That is not the whole thing. Therefore, unless they show us the remaining portions, at least in confidence, we cannot discuss the matter. Therefore, once again I urge the Government to rethink over the whole matter and trust us and if there are really sensitive portions we will definitely cooperate with the Government in not publishing them. But at least let us be convinced that there are sensitive matters which cannot be revealed. I hope the Government will at least show some sense even at this late hour. By giving an impression to the country and to the nation that they are keeping something confidential and secret they are going against their own interests.

THE MINISTER OF HOME AFFAIRS (SHRI BUTA SINGH) : We don't need your preachings.

SHRI PARVATHANENI UPENDRA: Therefore, I appeal through you, Sir, to the Government to decide on this matter. At least one reasonable request we are making. You place the reports with the Chairman, we will go through them in his Chamber. If we are really convinced that they are sensitive matters, we will definitely take the Chairman also into confidence. He can also decide about the matter.

श्री अटल बिहारी वाजपेयी (मध्य प्रदेश): सभापति जी, मैंने इस मामले में दो दिन मुंह नहीं खोला, लेकिन आज मैं बोलने के लिए मजबूर हो गया हूं।

कृषि मंत्री (श्री भजन लाल): पूरी आजादी है भारत वर्ष में बोलने की।

श्री अटल बिहारी वाजपेयी: मैंने रिपोर्ट के दोनों हिस्से बड़े ध्यान से पढ़े हैं। अब आप सदन में उस पर चर्चा चाहते हैं। आप यह चाहेंगे और सदन भी यह पसंद करेगा कि जो भी चर्चा हो, वह सार्थक होनी चाहिए केवल रस्म अदायगी नहीं होनी चाहिए। अब इस रिपोर्ट में ठक्कर साहब ने जिन-जिन के हवाले दिए हैं—किसी को दोषी ठहराया है तो यह भी सिफारिश की है कि उसके मामले में और जांच होनी चाहिए। सरकार कहती है कि हम ने जांच की है। सदन को जांच के नतीजों से अवगत कराया जा रहा है। लेकिन वह नतीजे किस आधार पर निकले, इसके बारे में सरकार सदन को विश्वास में लेने के लिए तैयार नहीं है और देश को विश्वास में लेने के लिए तैयार नहीं है।

यह मामला रिपोर्ट का नहीं है। यह सरकार की विश्वसनीयता का मामला बन गया है। पहले कहा गया कि रिपोर्ट रखी नहीं जाएगी। कानून का हवाला दिया गया। वह कानून जल्दी में पास किया गया था। लेकिन बाद में रिपोर्ट रख दी गयी। अब रिपोर्ट को पढ़ने के

[श्री अटल बिहारी वाजपेयी]

ाद लगता है कि ऐसी कोई बात नहीं थी कि जिसके ारण रिपोर्ट को दबाया जाता। जब मामले चल रहे थे स समय तक के लिए ठीक था, लेकिन जस्टिस ठक्कर ने भी यह नहीं कहा कि हमेशा के लिए रिपोर्ट को बाया जाय। गृह मंत्री बूटा सिंह जी यहां बैठे हैं। वह इस तरह से पहले रिपोर्ट न रखने का समर्थन कर रहे ! उसी तरह से अब रिपोर्ट रख दी गयी, इसका समर्थन र रहे हैं। राजनीति रग बदलती है, लेकिन इतनी जल्दी ह मंत्री रंग बदलेंगे, यह मेरी कल्पना के परे था। ध्यक्ष महोदय, जिस व्यक्ति पर दोषारोपण करने के नए पूरी ताकत लगी थी, आज उस व्यक्ति को ोषमुक्त करने के लिए पूरी ताकत लगी है। यह मामला या है? क्या इससे जन-मन में संदेह बढ़ते नहीं है? क्या ुपाना चाहते हैं आप? मुझे दुख है, मैं यह गुस्से में हीं कह रहा हूं, अगर उन लोगों पर मुकदमे चलने हैं, गर इन्दिरा जी की हत्या की कुछ साजिश थी, अगर समें कुछ लोग फंसे हैं, तो वे कटघरे में खड़े हों, हम ह चाहेंगे। प्रधान मंत्री की हत्या एक भंयकर त्रासदी ी, लेकिन जो सरकार अपनी प्रधान मंत्री की रक्षा नहीं र सकी, उस सरकार को हर सवाल का जवाब देना गा। कहीं ऐसा तो नहीं सरकार अपने ही पाप पर पर्दा लने की कोशिश कर रही है? ठक्कर कमीशन में 22 फसरों के खिलाफ ...**(व्यवधान)**... ठक्कर कमीशन 22 अफसरों के खिलाफ सिफारिशें दी हैं। .**(व्यवधान)**...

श्री सभापति: एक बात सुनिए, अफसरों की और रकार की बात अलग होती है।...**(व्यवधान)**...

श्री अटल बिहारी वाजपेयी: अफसर किसके होते ? सरकार के नहीं होते ? ...**(व्यवधान)**...

श्री सभापति: अफसर कोई मर्डर कर दे तो रकार को तो दोषी नहीं कहा जा सकता? .**(व्यवधान)**...

श्री अटल बिहारी वाजपेयी: अध्यक्ष महोदय, धान मंत्री की रक्षा का दायित्व किसका था? .**(व्यवधान)**...

SHRI BUTA SINGH: Mr. Chairman, ir, may I request Vajpayee Ji to listen to ie just for a moment. When I entered iis House, I was listening to Shri iurupadaswamy Ji who was speaking on behalf of the whole Opposition. I listened to this sentence. Now, it has come to the leader of every Opposition party. I am very sure, you will give the opportunity because every party has now started speaking. *(Interruption)*. Had it been only representative of the whole Opposition, the thing would have been different? They are not now only on the limited issue. Shri Vajpayee and prior to that Shri Upendra, they have gone into matters which are the subject matter of the report. Therefore, I think this side of the House also requires your consideration and I hope that the Members of this side also would be allowed to remark on the points made by the Opposition members.

श्री अटल बिहारी वाजपेयी: अध्यक्ष महोदय, अगर सत्ता पक्ष के कोई सदस्य बोलना चाहते हैं, बड़ी खुशी से बोलें क्यों कि यह प्रश्न सारे सदन का है। यह प्रश्न सत्ता पक्ष का और प्रतिपक्ष का नहीं है। ...**(व्यवधान)**...

SHRI MADAN BHATIA (Nominated): Sir, I am on a point of order. I am respectfully submitting that either they participate in the debate on the report or they confine themselves to the objections which they have raised that they will not participate in the debate unless all the documents are placed on the Table of this hon. House. I am respectfully submitting that they have gone into the merits of the report. So, we are entitled to discuss this report and now, they are trying to run away from the discussion on the report. We are challenging them to discuss the report. Let them discuss the report. *(Interruptions)*... why do they want to run away from the discussion? *(Interruptions)*

SHRIMATI RENUKA CHOWDHURY (Andhra Pradesh): We are not going to convert this House into a court room. *(Interruptions)* .

SHRI MADAN BHATIA: I challenge them to come forward and debate the

report. They cannot be permitted to take two stands. . . .*(Interruptions)* . . .

> Either they say, they do not want to participate in the debate ... *(Interruptions)*... They should make their position clear. ...*(Interruptions)*...

SHRI ALADI ARUNA *alias* V. ARUNACHALAM (Tamil Nadu): The Government has no guts to place all the materials on the Table of the House. We are not running away. *(Interruptions)* . . .

SHRI MADAN BHATIA. I am on my legs. I have been permitted. *(Interruptions)* . . .

MR. CHAIRMAN: Mr. Bhatia, listen to me. Mr. Vajpayee will not go into the merits of the report. *(Interruptions)* . . .

SHRI MADAN BHATIA: They are running away from the debate and the cat is out of the bag. Their political game is out. They have no sympathy for Mrs. Indira Gandhi whom they persecuted, whom they tried to involve in the murder of L.N. Mishra. . . . *(Interruptions)* . . .

They tried to implicate her in the murder of L.N. Mishra. They did not succeed because . . . *(Interruptions)* . . .

THE MINISTER OF HUMAN RESOURCE DEVELOPMENT (SHRI P. SHIV SHANKER) Sir, may I make one submission? *(Interruptions)*

DR. G. VIJAYA MOHAN REDDY (Andhra Pradesh): . . . It is most irresponsible. What is this? *(Interruptions)*.

SHRI P. SHIV SHANKER: May I make this submission?

MR. CHAIRMAN: Order, please.

श्रीमती रेणुका चौधरी : अभी इलेक्शन लड़ लो, देख लेंगे ..... (व्यवधान)

SHRI ANAND SHARMA (Himachal Pradesh) : . . . to politicalise the assassination of the slain leader. (*Interruptions*)

श्री सभापति : आप लोग बैठ जाइए, लीडर आफ दि हाउस बोल रहे हैं . . .

SHRI P. SHIV SHANKER : Sir, thought I should make one submission.

SHRI ATAL BIHARI VAJPAYEE Mr. Chairman, have you ruled out the earlier point of order raised?

SHRI PARVATHANENI UPENDRA : His point of order is there. He has not completed.

SHRI P. SHIV SHANKER : I am also on a point of order.

मैं भी प्वाइंट आफ आर्डर पर खड़ा हूं . . . (व्यवधान)

MR. CHAIRMAN: Let me hear Mr. Shiv Shanker. *(Interruptions)*.

आप लोग बैठ जाइए इनको जरा सुन लें . . .

SHRI N. E. BALARAM (Kerala): He is a lawyer. He is raising a point of order.

SHRI MADAN BHATIA: My objection has been upheld by the hon. Chairman.

SHRI P. SHIV SHANKER: My submission is very simple. My submission is that according to the business slated for today, immediately after the laying of papers on the Table, the Government Motion about the report of the Union Public Service Commission has to be taken up. I presume that you were pleased to allow them to make some mention. The submission is that if it is a case where they would like to go into the merits of the Sarkaria Commission Report...*(Interruptions)*....

[Shri P. Shiv Shanker]

I am sorry. Thakkar Commission Report. *(Interruptions)*. Would you please sit down? Why do you jump up like a frog? Like a frog you jump up without any reason for it. *(Interruptions)*. If it is a case where they would like to go into the merits of the Thakkar Commission Report, as some Members have started doing, we should take up that issue first. You may please give a ruling on this. Either you take up that issue first or you take up the other issue, the matter which has been half way through, that is, the Union Public Service Commission Report. Either we take up that and proceed with that and then we take up Thakkar Commission Report which is already there. Or if they would like to discuss the Thakkar Commission Report, we are prepared for that. *(Interruptions)*. But then, if it is a case of going into the merits, then we must also be allowed to say something. Mr. Vajpayee started expatiating on the merits of the Thakkar Commission Report. If that be so, then let us go ahead with the Thakkar Commission Report straight. You may kindly permit us. We have no objection for taking up that. *(Interruptions)*.

SHRI M. S. GURUPADASWAMY: May I clarify the position, Sir? *(Interruptions)*.

MR. CHAIRMAN : Just a minute. The Deputy Chairman and myself permitted you only on a limited point, about the rest of the documents. So, about that you can say anything and that too, in short because....*(Interruptions)*.

आप लोग बहुत शोर कर रहे है. इससे क्या फायदा. मैंने कह दिया कि आप लोग भी उसके बारे में बोल लेंगे... **(व्यवधान)** ये लोग जो बोलना चाहते है उनको मैंने इजाजत दे दी...

श्री जगेश देसाई (महाराष्ट्र) : रोज-रोज यही बात कहते हैं... **(व्यवधान)**

श्री अटल बिहारी वाजपेयी : जितनी रिपोर्ट रखी गयी है इसके गुण दोष में मैं नहीं जा रहा हूं। मैं सदन को यह विश्वास दिलाना चाहता हूं... **(व्यवधान)**

श्री सतपाल मित्तल (नाम-निर्देशित): सरकार अपना पाप छिपाना चाहती है इसके दोष में नहीं जा रहे हैं। यह कहते हुए सरकार अपना कुछ छिपाना चाहती है। वाजपेयी दोष में नहीं जा रहे हैं। **(व्यवधान)**

श्री अटल बिहारी वाजपेयी: हम यह कह रहे हैं कि किसी भी सार्थक बहस के लिए पूरी रिपोर्ट का आना आवश्यक है। **(व्यवधान)** इसके साथ उस रिपोर्ट का आना भी आवश्यक है जिसका हवाला इस रिपोर्ट में दिया गया है। आखिरकार ठक्कर कमीशन ने 22 आफिसरों के खिलाफ....**(व्यवधान)**

SHRI JAGESH DESAI : He is raising the same point...*(Interruptions)*...

They are raising their same point...*(Interruptions)*...

SHRI VITHALRAO MADHAVRAO JADHAV (Maharashtra): Sir, they are repeating the same thing...*(Interruptions)*...

MR. CHAIRMAN: Wherever there is a reference to something else as Report, that I permitted in the case of Advaniji and everybody. But, if you go to the question of officers, which officer, etc. . . .

SHRI ATAL BIHARI VAJPAYEE: No.

MR. CHAIRMAN:....then it becomes a discussion on the Report and, as on the Leader of the House has said, we can have a discussion on the Report itself. If you like, we can change the order.

श्री अटल बिहारी वाजपेयी: हम यह पूछना चाहते हैं कि उस बहस में हमारे लिये भाग लेना आपने क्यों असम्भव कर दिया है? **(व्यवधान)**

श्री भजन लाल: कहां असम्भव कर दिया है। **(व्यवधान)**

श्री सभापति: बाकी कागज नहीं रखे हैं न।

श्री अटल बिहारी वाजपेयी: बाकी कागज भी नहीं रखे है और दूसरी रिपोर्ट भी नहीं रखी है। दो तरह की रिपोर्ट सरकार के पास है जो ठक्कर कमीशन की सिफारिशों पर आधारित है। आप अगर मेरी जगह होते तो जरा कल्पना करिये आप क्या करते। **(व्यवधान)**

श्री सभापति: मैं मैरिट पर नहीं जाता अपने प्वाइंट्स पर रहता।

श्री अटल बिहारी वाजपेयी: आपत्ति की बात यह है कि प्रतिपक्ष ने एक प्रस्ताव रखा था और गम्भीरता के साथ आपके सामने रखा था कि अगर कोई ऐसी सामग्री है जिसको इस समय सार्वजनिक बनाना उचित नहीं होगा तब वह सामग्री प्रतिपक्ष आपके चैम्बर में देख लेगा।

माननीय सदस्य: कल भी यह बात कही थी।

श्री अटल बिहारी वाजपेयी: कल जो बात कही गयी थी क्या आज वह नहीं कही जा सकती। जब तुलमोहन कांड हुआ था उस वक्त मैं लोक सभा का सदस्य था। उस समय यह निर्णय लिया गया था कि प्रतिपक्ष सीकरेट फाइल देख सकता है। उस समय प्रतिपक्ष को सीकरेट फाइल दिखाई गयी थी और उस फाइल को देखने वालों में मैं भी था। उस समय सरकार प्रतिपक्ष पर भरोसा कर रही थी। वह तो भ्रष्टाचार का मामला था। यह ऐसा मामला है जिस पर सारा देश जुड़ा हुआ है कि प्रधान मंत्री की हत्या में जो शामिल थे उन्हें दंड मिलना चाहिए। मगर आप हमारे ऊपर भरोसा करने को तैयार नहीं है। **(व्यवधान)**

श्री एन.के.पी. साल्वे (महाराष्ट्र): यह बात नहीं है। यह गलत बात है।

श्री बूटा सिंह: आप विश्वास केहर सिंह पर और सतवंत सिंह पर करते थे। आप सरकार पर विश्वास करने को तैयार नही है।

SHRI MADAN BHATIA: Sir, I want to raise a point of order...*(Interruptions)*

SOME HON. MEMBERS: No, no. *(Interruptions)*...

SHRI MADAN BHATIA: Sir, with your permission I want to raise a point of order.

श्री अटल बिहारी वाजपेयी: चेयरमैन साहब, आपने सुना गृह मंत्री जी ने क्या कहा।**(व्यवधान)**

सभापति जी, मैं कहना चाहता हूं कि ... **(व्यवधान)**

श्री सभापति: आपने तुलमोहन राम का केस कहा है।

श्री अटल बिहारी वाजपेयी: तुलमोहन राम का केस कहा है उदाहरण के रूप में। यह परम्परा है, अगर सरकार चाहे तो उससे लाभ उठा सकती है, प्रतिपक्ष को विश्वास में ले सकती है। लेकिन प्रतिपक्ष को विश्वास में नहीं ले रही है। इससे इस संदेह की पुष्टि होती है कि सरकार कुछ छिपाना चाहती है।

श्री दीपेन घोष: दाल में कुछ काला है।

श्री अटल बिहारी वाजपेयी : यह सरकार के हित में नहीं है, यह सारे मामले के हित में भी नहीं है। हम चाहते हैं कि सरकार के पास जो भी तथ्य हैं। देश के सामने और सदन के सामने रखे। अगर रखना उचित नहीं है तो प्रतिपक्ष को विश्वास में ले।

श्री सभापति: इस हितोपदेश के बाद आपकी क्या राय है?

श्री अटल बिहारी वाजपेयी: सभापति जी, अभी और बोलने वाले मौजूद हैं। राय एक है।

श्री वीरेन्द्र वर्मा (उत्तर प्रदेश): माननीय सभापति जी, जिन हालात में और जिस प्रकार अपने निवास स्थान पर अपनी ही अंगरक्षकों के द्वारा किसी लम्बी साजिश के बाद भारत के प्रधान मंत्री का कत्ल हुआ, इस माननीय सदन का प्रत्येक सदस्य, चाहे वह पक्ष का हो या विपक्ष का हो। सारे तथ्यों को जानने में इंटेरेस्टिड है और उसमें रुचि रखता है और चाहता है कि यह बात प्रकाश में आनी चाहिए। हम लोगों ने आपके सामने और लोकसभा में भी यह मांग की है कि पूरे तथ्य, पूरी रिपोर्ट, माननीय सदन के सामने रखी जाय।

श्री सभापति: आप पूरी रिपोर्ट का सवाल कर रहे हैं?

श्री वीरेन्द्र वर्मा: मान्यवर, आप मेरी बात तो सुन लीजिये। हमारी इस प्रार्थना को ठुकरा दिया गया और इसी सदन के एक माननीय सदस्य ने कहा कि यह मिसचीवियस है। फाल्स है, अनटूरू है और बाहर से भी माननीय मंत्री जी ने रिपोर्ट को फाल्सीफाई करने की कोशिश की।

श्री सभापति: वर्मा जी, प्रश्न सीमित है।

श्री वीरेन्द्र वर्मा: मान्यवर, मैं रिपोर्ट के सिलसिले में नहीं, आपसे रिक्वेस्ट कर रहा हूं। माननीय प्रधानमंत्री जी ने हम लोगों के प्रार्थना करने पर 17 मार्च को यह घोषणा की कि पूरी रिपोर्ट सदन के सम्मुख रख दी जाएगी। मैंने रेडियो से सुना, टेलीविजन से सुना। सब ने प्रधान मत्री को बधाई दी और कहा कि प्रधान मंत्री का यह लोकतांत्रिक और साहसिक कदम है। साहसिक काम भी रहा, लोकतांत्रिक भी रहा। तो अब कौन-से लोकतंत्र के मातहत इसको छिपाने की कोशिश की जा रही है...**(व्यवधान)**।

श्री सभापति: वे कह रहे हैं कि पूरी रिपोर्ट रख दी है।

श्री वीरेन्द्र वर्मा: इसलिए देश का प्रत्येक नागरिक दिलचस्पी रखता है कि यह रिपोर्ट पूरी की पूरी देशवासियों की जानकारी में रखनी चाहिए। माननीय सदस्यों की चाहे इधर के हों या उधर के हों सबको इसकी जानकारी होनी चाहिए। सरकार ने किस आधार पर यह निर्णय लिया है? हमारी आपसे प्रार्थना है कि आप सरकार को कहें कि सारी रिपोर्ट सदन के सामने रखी जाये। देश जानना चाहता है कि प्रधान मंत्री का कत्ल किस साजिश के मातहत हुआ। उसे छिपाने की क्या जरूरत है। अगर आपको छिपाना है और आप सारे सदन के सामने नहीं रखना चाहते हैं तो हम लोगों में से चुने हुए आदमियों को आपके चैम्बर में दिखा दें। वह भी नहीं दिखलाना चाहते हैं तो कोई कारण बता दें। अगर आप कहते हैं कि देश की सुरक्षा का मामला है तो आप इस रिपोर्ट को भी तो देश की सुरक्षा के कारण पहले नहीं रख रहे थे। इसमें तो एक शब्द भी नहीं है जिससे देश की सुरक्षा को खतरा हो। पूरी रिपोर्ट रखेंगे तो उससे भी खतरे की बात स्पष्ट हो जाएगी। वह देश के सामने, सदन के माननीय सदस्यों, चाहे वे इस पक्ष के हों या उस पक्ष के हों, उनके सामने आ जाएगी कि किन साजिशों के मातहत देश के प्रधानमंत्री का कत्ल हुआ।

SHRI MADAN BHATIA: Respected Chairman, Sir, the hon. Member who happens to be the leader of the BJP has made this statement.

श्री राम अवधेश सिंह (बिहार): महोदय, मुझे भी बोलने का मौका दिया जाये।

श्री सभापति: आपके दल के नेता बोल चुके है।

श्री राम अवधेश सिंह: नहीं, वे जनता दल से है और मै लोकदल का हूं।

SHRI MADAN BHATIA: He has said that the assassination of Mrs. Indira Gandhi was a heinous crime and "our hearts are bleeding and we want to know the truth". When the judgement of the Supreme Court was delivered, confirming the two judgements of the earlier two courts, also holding three persons guilty of a conspiracy to assassinate Mrs. Indira Gandhi, he was the gentleman who issued a statement to the Press casting doubts . . . (*Interruptions*).

SHRI ALADI ARUNA *alias* V. ARUNACHALAM: It must be expunged, It is irrelevant.

(*Interruptions*)

MR CHAIRMAN: Bhatiaji, this is not permitted. You being an advocate...(*Interruptions*)... Please sit down. You being an advocate yourself, you know that no advocate says 'no' to a case on presumption. So, you yourself being an advocate, you know that there is nothing wrong with it, and you cannot make it a point ...(*Interruptions*).

Now, here again I have asked them to restrict themselves to the limited question about the 'other part' of the Report. That's all. No more.

(*Interruptions*)

श्री पी. शिवशंकर: वाजपेयी जी ने यह कहा कि सरकार अपने पाप छिपाना चाहती है, आपने उसका अलाऊ कर दिया रिकार्ड में जाने के लिये?

श्री सभापति: पाप छिपाने की बात कहां है?

श्री पी.शिवशंकर: उन्होंने कहा है पाप... उनके स्टेटमेंट में है...**(व्यवधान)**...

श्री सभापति: अगर यह कहा है तो वह निकाल देंगे। ...*(Interruptions)*...

SHRI MADAN BHATIA: I am entitled to say that they are not interested in the truth. ...*(Interruptions)*...

श्री सभापति: फिर तो मामला बिगड़ जायेगा। कोई आपको पापी, कोई इनको पापी और कोई उनको पापी और सब पाप मेरे ऊपर आ जायेगा।

श्री पी. शिवशंकर: जो इन्होंने यह बात कही कि पाप छिपाना चाहते हैं तो उसका जवाब दे रहे हैं... **(व्यवधान)**...

श्री अटल बिहारी वाजपेयी: जब मैं बोल रहा था तब शिवशंकर जी ने आपत्ति नहीं की। यह पाप की बात उनके दिमाग में बाद में आई है।

श्री पी. शिवशंकर: वैसी बात नहीं है। मै जवाब देना चाहता था। आपने जो कहा था मै उसका जवाब देना चाहता था। लेकिन ...**(व्यवधान)**... जब वे जवाब दे रहे हैं तो फिर आप उस चीज को क्यों रोक रहे हैं आपने पाप की बात की है, जवाब दीजिये।

श्री सभापति: वे पाप में जा ही नहीं रहे है।

श्री अटल बिहारी वाजपेयी: अगर सरकार पूरी रिपोर्ट नहीं रखेगी तो लोगों को संदेह होगा कि सरकार अपने पाप को छिपाना चाहती है, इस पर कोई आपत्ति नहीं हो सकती। ...**(व्यवधान)**...

श्री सतपाल मित्तल: यह पाप सिर पर चढ़कर बोल रहा है। ...*(Interruptions)*

MR. CHAIRMAN: Mr. Salve ...*(Interruptions)*...

SHRI N.K.P. SALVE: At the outset, Sir, I want to submit ...*(Interruptions.....)*

MR. CHAIRMAN: Mr. Bhatia, you complete within two minutes.

SHRI MADAN BHATIA: I will take only two minutes. ...*(Interruptions)*...

SHRI BUTA SINGH: With folded hands I want to make a brief submission. Sir, at the point of time when Vajpayeeji was making his observations I took objection to certain things that he said. At that point of time, Sir, you were pleased to permit the other Members on this side also to make their remarks precisely because originally the issue was limited only to the leaders of the Opposition, for which you had kindly in your Chamber given the permission.

But when the Leaders of the Opposition, while making their remarks, started entering into the merits and other aspects of the Report, at that point of time...*(Interruptions)* at that point of time, Sir, when I objected to it, you kindly permitted that the Members from this side also can make their remarks. Naturally, Sir ...*(Interruptions)*... Naturally, Sir, the hon. Members from this side are likely to react to some of the observations made other than on the limited issue that you had kindly permitted the Opposition. Therefore, Sir, it is very difficult now to tell these Members on this side that they should not reflect on the points that the Opposition leaders have made. It will be unfair. Therefore, Sir, I submit to you, let the Members from this side also react to some of the points made by the Opposition leaders. *(Interruptions)*

MR. CHAIRMAN: I want to make it very clear that the point is limited to the submission of the other parts, nothing more.

SHRI P. SHIV SHANKER: Then, may I request you, Sir, to remove from the record anything other than what you have permitted?

SHRI M.S. GURUPADASWAMY: Mr. Vajpayee has not debated the merits. He has only ...(*Interruptions*)

SHRI P. SHIV SHANKER: Mr. Gurupadaswamy, we have no objection to your statement and that of Mr. Dipen Ghosh. We have never objected to it. But ...(*Interruptions*) But, Mr. Upendra and Mr. Vajpayee have made certain remarks...

SHRI PARVATHANENI UPENDRA: What did I say?

SHRI P. SHIV SHANKER: We will answer. You have gone into the merits ...(*Interruptions*) Sir, unless you are pleased to say that whatever has so far been said on the merits, you will remove it from the record, kindly permit us to speak. Then we will not say anything about it. (*Interruptions*)

SHRI A.G. KULKARNI (Maharashtra): Sir, I am on a point of order ...(*Interruptions*)

SHRI SAT PAUL MITTAL: Sir, I objected there and then to those remarks which Mr. Vajpayee made against the Government. (*Interruptions*)

श्री सभापति: भाटिया जी को बोलने दीजिये।

SHRI MADAN BHATIA: I respectfully submit, Sir, that this demand for the production of the remaining papers as a pre-condition for entering into the debate is nothing but a political pretext to run away from the debate ...(*Interruptions*) I respectfully submit ...(*Interruptions*)

SHRI PARVATHANENI UPENDRA: What is that running away? We are not running away. We are prepared to discuss more than this. We want more. He says that we are running away from the debate. What is this? (*Interruptions*)

MR. CHAIRMAN: You know that the Government has made its position clear. Most of you know. If you like, I can give you the whole position. (*Interruptions*)

SHRI M.S. GURUPADASWAMY: The Government should respond. Let them say whatever they like.

SHRI A.G. KULKARNI: Sir, I am on a point of order.

श्री सभापति: नहीं नहीं, अभी भाटिया जी बोल रहे हैं।

SHRI MADAN BHATIA: Sir, they are saying that there are two reasons they are interested to know the truth and that they have got great feelings from Mrs. Indira Gandhi. And I may respectfully submit, Sir, that their regard for the truth is shown by the fact that they cast aspersions and doubts on the judgement of the Supreme Court which upheld the two earlier judgements, upholding the conspiracy...(*Interruptions*)

SHRI PARVATHANENI UPENDRA: Is it relevant to the issue, Sir?

(*Interruptions*)

SHRI MADAN BHATIA: They say that they have got great feelings for Mrs. Indira Gandhi. The records of the Home Ministry will show that during the Janata Government, apart from persecuting Mrs. Gandhi, they tried to implicate her in the assassination of Mr. L.N. Mishra in order to commit her judicial murder.

I respectfully submit they do not have any sympathy nor any regard for truth but they are only indulging in.....

MR.CHAIRMAN: They have not cast any aspersions on the Supreme Court and nobody can cast aspersions. That is our

highest judicial body. It will be a sad day when we start casting aspersions on the Supreme Court.

SHRI N.K.P. SALVE: The limited question now being discussed is whether the Government is justified in withholding part of the record of Thakkar Commission. That is the limited issue. Very regrettable that Mr. Atal Bihari Vajpayee, usually a restrained person, should have brought in entirely extraneous and unwarranted issue. And when Mr. Bhatia is speaking, the Opposition friends know that if they can indulge in this sort of unworthy rhytoric, we can also do that. But that will not solve the problem. (*Interruptions*).

SHRI PARVATHANENI UPENDRA: You do it without any provocation.

SHRI N.K.P. SALVE: Please don't try to teach us what we ought to do and what we ought not to do. Don't try to teach us...(*Interruptions*)...as much as we don't want to teach you either. Therefore, don't cast aspersions. Sir, it is very unfair. In this debate, very limited scope is there to warrant them to cast aspersions on the Government like this...

MR. CHAIRMAN: It is only the question of the report whether it is full or not.

SHRI N.K.P. SALVE: Yes, I argue upon this matter whether the records withheld constitute part of the report or not. Sir, nothing prevents Parliament from asking the Government to produce that part of the document and lay it on the Table of the House which is referred to in a report which is tabled by the Government as required by the statutory provision. But that is not the end of the matter....(*Interruptions*).

SHRI B. SATYANARAYAN REDDY: (Andhra Pradesh) Why are you going back?

SHRI N.K.P. SALVE: I am not going back. I have not learnt that art. My submission is, whereas this right does exist, there are certain obligations enjoined upon the Government and statutory recognition is given by the rules of this House so far as the obligations of the Government to lay certain documents on the Table of the House is concerned, and I pointed out yesterday that the rules enjoin on the Government to lay all the documents in the House which are referred to in rule 49, but there is a proviso which says that if it is in public interest, according to Government, to withhold laying of the document on the Table of the House, they can so withhold. This is the untrammelled right given to the Government, and it is the Government which should exercise that right in the public interest....

SHRI PARVATHANENI UPENDRA: In your interest.

SHRI N.K.P. SALVE: No, I made it also clear....(*Interruptions*). Whether you trust us or you don't trust us; it is not a question of trusting you or not trusting you. You are all men of integrity, of ability and you are all dependable people; you are nationalist. But all that is irrelevant. It is a question of principle that we are trying to decide that if this Government forsakes its obligation of not putting up sensitive matter on the Table of the House, then this Government would not be worth its salt. It must decide; Government alone must take the responsibility.

There was one more point to which I want to refer, and it is a very sensitive point. Would public interest be really safeguarded when actually the report is leaked out and there is no confidentiality and the secrecy is not maintained? That is a very important issue to which I wanted to know the answer of the Government. Already if a document is leaked out, what is the point in Government wanting to withhold it in public

[Shri N.K.P. Salve] interest? My submission is...(*Interruptions*). Yes, now listen to me. On my enquiry, I find that the documents which have not been tabled are the documents which have not been leaked out at all. They are secret...(*Interruptions*). Yes, that is the answer of the Government...

SHRI 'DIPEN GHOSH: You can assume.

SHRI N.K.P. SALVE: They are secret in nature; at least, we have not seen in the papers so far anything out of that being published. Therefore, the question which I thought was very important, and they thought, was very import , does not suit them on facts...(*Interruptions*).

SHRI M.S. GURUPADASWAMY: If the documents are so innocuous and harmless, why don't you ask them to lay the whole thing before the House?

SHRI N.K.P.SALVE: The question is not whether they are innocuous or whether they are incriminating. The question is in the interest of safeguarding public interest, Government considers them to be made public or not... (*Interruptions*).

SHRI PARVATHANENI UPENDRA: You could not safeguard the report. What are you going to safeguard then?

SHRI DIPEN GHOSH: You could not safeguard the report. What else can you safeguard?

SHRI N.K.P. SALVE: If you want me to answer, Mr. Dipen Ghosh, you will not be too happy. Would you insist that I answer as to how has the other thing come and why has this thing not come? Would you like me to answer? Sir, the source of leakage for the other documents was the source which did not get possession of these documents, and that is why, it did not leak.

Now, I want to submit, Mr. Ram Jethmalani raised that argument yesterday and today Atalji says:

"कि सार्थक कैसे हो पायेगी" My respectful submission is: a Supreme Court judge has given this report to us by way of his recommendations and by giving his recommendations, he has only given very long and elaborate reasons, his own grounds...(*Interruptions*).

SHRI DIPEN GHOSH: He is running away....(*Interruptions*).

श्री सभापति: श्री चिदम्बरम् जी बैठे हुए हैं।

SHRI N.K.P. SALVE: This argument needs to be properly met. A bogey is sought to be raised that if those documents which are not tabled, are not produced, then we cannot have a meaningful debate; we cannot have a fair debate. That is the point that Mr. Ram Jethmalani raised yesterday and that is what Atalji raised today. My respectful submission is: a Supreme Court judge has given his report which is in the nature of certain recommendations that he made, and that has been equated by some to a judgement. Whatever it is, whether it is a judgement or recommendation, by whatever nomenclature you want to call it, he has come to certain conclusions and for coming to those conclusions, he has referred to certain facts. He has given his own reasons. He has marshalled all the facts, according to him...

श्री सभापति: आप भी डिटेल में मत जाएं।

SHRI N.K.P.SALVE: I am not on that. I am on a very important issue. He says that appendices are attached by way of evidence itself, the correspondence, the interrogatories and the replies to the questions he thought necessary. The Supreme Court Judge bases his findings, his conclusions on certain material on record that, according to them, is not adequate, but what he thinks is unnecessary is, according to them, necessary

for a meaningful debate! It only means one thing...(*Interruptions*)...that they are not interested in a meaningful debate so far as this report is concerned. All that they want is to draw a political mileage on an episode which they themselves described as unfortunate, which is very highly undesirable...(*Interruptions*).

SHRI M.S. GURUPADASWAMY: We want full debate, not a truncated debate. For that purpose, we have to unravel the entire truth and, therefore, we demand that all the material should be made available to us.

SHRI N.K.P. SALVE: What makes you feel that entire truth has not been brought in these two records, if you have read cover to cover? Have they read it from covet to cover? Enough material is there; it is more than adequate in this document to have a meaningful debate.

MR. CHAIRMAN: Mr. Balaram.

SHRI N.E. BALARAM: Sir, I am sorry to say that the Government is taking a purely legalistic point.

श्री वीरेन्द्र वर्मा: साल्वे साहब ने जो कहा उस पर प्वाइंट आफ् आर्डर उठा रहे है।

MR. CHAIRMAN: Mr. Balaram.(*Interruptions*).

SHRI SYED SIBTEY RAZI (Uttar Pradesh): Sir, I am on a point of order. (*Interruptions*).

श्री वीरेन्द्र वर्मा: साल्वे जी ने जो कहा उसके खिलाफ पाइंट आफ् आर्डर उठा रहे है?

श्री सभापति: क्या पाइंट आफ आर्डर है आपका।

SHRI SYED SIBTEY RAZI: Sir, I am on a point of order. I will be very brief. In this House, rules, traditions and conventions have been followed all these years. I would like to draw your attention to rule 249 which says;

> *Papers quoted to be laid on the Table:*
>
> "If a Minister quotes in the Council a despatch or other State Paper which has not been presented to the Council, he shall lay the relevant paper on the Table:
>
> Provided that the rule shall not apply to any documents which are stated by the Minister to be of such a nature that their production would be inconsistent with public interest."

MR. CHAIRMAN: Shri Balaram please.

SHRI SYED SIBTEY RAZI: Sir, what about my point of order? Let me complete my point of order.

MR. CHAIRMAN: The only debate is whether it is in the public interest or not. They say that in public interest it will be advisable that the Government places these documents. That is all. They are not challenging the right of the Government, in public interest, not to divulge certain papers. (*Interruptions*).

SHRI N.K.P.SALVE: Is that correct, Sir? Is that correct that they are not challenging? (*Interruptions*). If that is your understanding, it must be correct. I only want to reassure myself and my party that they are not challenging the right of the Government. (*Interruptions*).

SHRI M.S. GURUPADASWAMY: Sir, these two reports were considered to be very secret documents. They produced these reports because of the Opposition protest. Therefore, they cannot take shelter under this. This is what we have been saying.

SHRI N.E. BALARAM: Mr. Chairman, Sir I am not going to discuss the

[Shri N.E. Balaram]
merits of the Thakkar Commission report at all.

AN HON. MEMBER: We will not allow.

SHRI N. E. BALARAM: I only want to mention my difficulty in regard to participating in the debate. Mine is a very limited point. I am sorry to say that our friends on the other side are adopting a completely legalistic approach towards this problem. Here is an unprecedented situation. We have seen many reports. The reports which the Government says are very secrect and, therefore, could not be released ,to the Press, could not be placed on the Table of the House, are appearing in the newspapers. It is a very difficult situation we are faced with. After reading all these reports, if we are asked to debate this, we find it very difficult because some valuable materials are still in the hands of the Government some valuable materials are still with the Government which would throw light on all the incidents, as to what happened in 1984 about which we are all very much concerned. If you want have a proper discussion, a meaningful discussion, about the whole thing, we would like to get these valuable materials.

I am not entering into the argument whether these materials form part of the report or not. I am not entering into that debate. what I am saying is that there are a large number of valuable materials which have been mentioned in these two reports but which have not been made available to us. I do not challenge that the Government has no right to keep away these materials. I am not challenging that. But I am making a request to the Government. Here is an unprecedented situation. If you want us to participate in the debate, you should give sufficient materials to us. If this is not possible, why don't you place these materials, these valuable materials, with the chairman who, in turn, can show them to the leaders of the Opposition in his chamber? This is all we are saying. If this is not done, we cannot have a fruitful discussion.

MR. CHAIRMAN: The position is very clear. After having heard Member for the last so many days...(*Interruptions*). We have spent nearly one hour...(*Interruptions*).

श्री सत्यपाल मलिक: (उत्तर प्रदेश): श्रीमान, मेरा व्यवस्था का प्रश्न है **(व्यवधान)**

श्री राम अवधेश सिंह: मान्यवर, दो मिनट ...**(व्यवधान)**

श्री सभापति: आप तशरीफ रखिए।

श्री राम अवधेश सिंह: क्यों बैठेंगे...**(व्यवधान)**

श्री सभापति: मत रखिए, तो फिर आप तशरीफ लेकर जाइये ...**(व्यवधान)**

12.00 NOON

यह राज्य सभा है, यह कोई बाज़ार नहीं है।

श्री राम अवधेश सिंह:*

MR. CHAIRMAN: I recognise Mr. Verma as the leader. I have permitted him. I have not permitted you. Till I decide otherwise, he is your leader. That is all.

SHRI RAM AWADHESH SINGH:*

MR. CHAIRMAN: One hour is gone. Now I am just giving you the whole position. I am summing up...

SHRI RAM AWADHESH SINGH*:

MR. CHAIRMAN: I am not permitting you.

*Not recorded.

SHRI RAM AWADHESH SINGH:*

MR. CHAIRMAN: Because it is my right. you have no right.

SHRI RAM AWADHESH SINGH:*

MR. CHAIRMAN: Please sit down, sit down, sit down.

SHRI RAM AWADHESH SINGH:*

MR. CHAIRMAN: If you don't sit down, I will name you.

SHRI RAM AWADHESH SINGH:*

MR. CHAIRMAN: I am on my legs. You have no right.

SHRI RAM AWADHESH SINGH:*

MR. CHAIRMAN: No, these are the rules. Here are the rules. I have not recognised your party as separate from Mr. Verma's. That is that, nothing more. Anything that he has said will not go on record.

श्री राम अवधेश सिंह:*

श्री सभापति: हाउस आपको निकाल देगा। आपको बाहर भेज दिया जायेगा।

श्री राम अवधेश सिंह:*

श्री सभापति: कायदे से फैसले होते हैं, ऐसे नहीं होते हैं। आप मुझे लिखिए कि आपने लोकदल छोड़ दिया है और आप इन्हें अपना लीडर नहीं मानते।

श्री राम अवधेश सिंह:*

श्री सभापति : मैं नहीं मानता।

श्री राम अवधेश सिंह:*

श्री सभापति: इनकी कोई चीज़ रिकार्ड में नहीं जायेगी।

श्री राम अवधेश सिंह:*

श्री सभापति: जो इन्होने कहा है वह रिकार्ड में नहीं जायेगा। ...**(व्यवधान)** मैंने व्यवस्था कर दी है कि रिकार्ड मे नहीं जायेगा।

श्री राम अवधेश सिंह:*

श्री सभापति: आप करिए जो करना है।

श्री राम अवधेश सिंह:*

श्री सभापति: पोलिटीकल अस्तित्व बदतमीजी से नहीं रहता है, रुल्ज़ मानने से पोलिटीकल अस्तित्व रहता है।

श्री राम अवधेश सिंह:*

श्री सभापति: एक घंटा हो गया, अब मैं इसके ऊपर राय दे रहा हूं ।...**(व्यवधान)** हर आदमी को बोलने का हक नहीं है और मैं इजाजत नहीं दे रहा। ...**(व्यवधान)**

श्री राम अवधेश सिंह:*

श्री सभापति: क्षमा कीजिएगा, मुझे मज़बूर मत कीजिए कि मैं आपको नेम करूं, क्योंकि मैं यह पसंद नहीं करता।

श्री राम अवधेश सिंह:*

MR. CHAIRMAN: Then I name you for the whole day.

श्री पी० शिवशंकर: हमारा निवेदन है कि आप बैठ जाइये। अगर फिर भी बात हो तो चेयरमैन साहब से बात कर लीजिए।....**(व्यवधान)** चेयरमैन से आप बाद में बात कर लीजिए। यह कोई अच्छी बात नहीं है।

SHRI RAM AWADHESH SINGH:*

SHRI P. SHIV SHANKER: Kindly talk over this issue separately. You please do not raise it now. Please do not challenge the Chairman. That is not proper.

SHRI RAM AWADHESH SINGH:*

MR. CHAIRMAN: Now I am telling you....

श्री एन० के० पी० साल्वे: अरे भाई, चैम्बर में बात कर लेना।

श्री राम अवधेश सिंह:*

श्री सभापति: मैं आपके हाथ जोड़ता हूं आप कृपया हाउस चलने दीजिए।

हम ने एक घंटे इस बात पर चर्चा की। अब मैं जरा अपनी बात सुना दूं। उसे सुन लीजिए।

SHRI RAM AWADHESH SINGH:*

(At this stage the honourable Member left the Chamber).

MR. CHAIRMAN: After so many days, I will just read out what I have felt. On 27th March 1989, Government...

SHRI PARVATHANENI UPENDRA: Let the Government respond. *...(Interruptions)...*

SHRI LAL K. ADVANI (Madhya Pradesh): After all, why should you take it upon yourself?

THE MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS (SHRI M. M. JACOB): Mr. Chidambaram is here *....(Interruptions)...*

MR. CHAIRMAN: Your question is whether they are willing to share *...(Interruptions)...*

SHRI B. SATYANARAYAN REDDY: Mr. Buta Singh must reply. *...(Interruptions)...*

THE MINISTER OF STATE IN THE MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS AND THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI P. CHIDAMBARAM): Sir, I don't know when and how I offended my learned friend that he won't recognize me...*(Interruptions)...*

SHRI SATYA PRAKASH MALAVIYA (Uttar Pradesh): Mr. Buta Singh is a Cabinet Minister. you are only a Minister of State.

MR. CHAIRMAN: Mr. Buta Singh is a Cabinet Minister.

Mr. Chidambaram is also a Minister in the Home Ministry...*(Interruptions)...*

SHRI P. CHIDAMBARAM: Sir, I am sorry that yesterday I was not here to listen to the valuable observations made by hon. members of the House. Today, Sir, It was my privilege to listen to the observations made by many senior leaders of the Opposition and, also, some of our own colleagues here. I am grateful to them for their views. Let me, with humility, state the Government's case. Sir, I request you to here the Government's case and then we will abide by the Chair's ruling.

Sir, the Thakkar Commission was appointed under the Commissions of Inquiry Act. You know, Sir, that under section 3(4), the report, if any, of the Commission shall be laid before the House of the people. There is a long-standing parliamentary convention that papers laid on the Table of one House shall also be laid on the Table of the other House—a convention which is almost, today, an unassailable rule. Accordingly, Sir, on the 27th of March, the Government laid on the Table of the Lok Sabha and on the Table of the Rajya Sabha, the report which, according to Government, is the report under section 3(4) of the Act. We submit, Sir, that we have fulfilled the statutory requirement under section 3(4), and I wish to make it

*Not Recorded.

clear that no part of the report has been withheld from Parliament.

SHRI DIPEN GHOSH: No.

SHRI P. CHIDAMBARAM: Please. No part of the report has been withheld from Parliament.

Sir, a dispute has arisen: What is the report, are there any more papers of the Thakkar Commission with the Government and why have they not been laid on the Table of the House?—a very legitimate dispute, and I don't quarrel with the Members of the Opposition for raising this dispute. But, before you reach a conclusion, you must look into the facts, you must look into the records, you must give us an opportunity to say what those papers are.

It is not our case that there are no other papers. Yes, there are other papers. There are other papers which have come to the Government from the Commission. But please try and understand when these papers came, how these papers came and more important, what these papers are. Sir, you may know and it has been said so many times, that the first Report which has been styled as the "Interim Report" of the Commission was presented by the Commission to the Home Minister on the 19th of November, 1985. That, Sir, is only this volume. No other paper was sent along with this volume.

MR. CHAIRMAN: The Interim Report.

SHRI P. CHIDAMBARAM: The Interim Report. No other paper was sent along with this volume. This volume in paragraph 1.8.3 indeed says that the Report is in four Volumes, that Volume 2 contains such and such, Volume 3 contains such and such, Volume 4 contains such and such. I am not running away from that. It is that thing which has presented the difficulty. But it is a difficulty which can be resolved by us all collectively applying our minds. But these papers which are supposed to be included in Volume 2, Volume 3 and Volume 4 were not presented on the 19th November, 1985. Sir, if we put ourselves back on the 19th November, 1985, the Government could have very well on the 20th of November, 1985 placed the Report on the Table of the House. There is only the maximum limit of six months by which a report should be placed. There is no minimum time. If I had come to the House and placed this Report on the Table on the 19th of November, 1985 evening or on the morning of the 20th of November, 1985, there was nothing more for me to place. Although para 1.8.3 says...*(Interruptions)* kindly listen to me.

SHRI ALADI ARUNA *alias* V. ARUNACHALAM: What is the difficulty in placing them now.

MR. CHAIRMAN: Mr. Chidambaram, at present what they are raising is the question whether you are willing to share those papers, because all this is history, with the leaders of the Opposition. That is all. It is up to you.

SHRI P. CHIDAMBARAM: Are they conceding that they will abide by the judgement of the Government on this matter?

SHRI N. E. BALARAM: No. We are not. *(Interruptions)*

SHRI PARVATHANENI UPENDRA: We want your response.

SHRI P. CHIDAMBARAM: Sir, do they want only an answer to whether we are willing to show the papers which are not a part of the Report?

MR. CHAIRMAN: Today, the question is very limited. Just I want you to tell this. The limited question is: whatever those papers are, whether you are willing to share those papers with the

[Mr. Chairman]
leaders of the Opposition, and that is why they have quoted the Tulmohan Ram case. That is all. I want to know your views. I have heard their views in my chamber.

SHRI P. CHIDAMBARAM: Sir, if it is not necessary for me to go into the background, I will not go into the background. I will abide by your ruling.

MR. CHAIRMAN: When the debate starts, you will go into everything. I am not going to stop you. You have that right, and you will have to do it. At present, because already we have spent so much time, the only question remains is this.

SHRIMATI RENUKA CHOWDHURY: That is all you have got to say. What is your problem?

SHRI ANAND SHARMA:*

SHRIMATI RENUKA CHOWDHURY: Sir, I object. He has used the word which I find is unparliamentary. He should withdraw that word and apologise.

यह कौन होते हैं* कहने वाले? ऐसे हुकूमत चलाते हैं ये सत्ता में। ...(व्यवधान)...

SHRI ANAND SHARMA: Is she running the House? *(Interruptions)*

MR. CHAIRMAN: Order, Please.

SHRIMATI RENUKA CHOWDHURY: he said,*

श्री सभापतिः हमको सुनाई नहीं दिया भाई। ...(व्यवधान)...

SHRIMATI RENUKA CHOWDHURY: Should he say* Can he utter that word?

*Expunged as ordered by the Chair.

इन्होंने क्या कहा था, इनसे पूछिए...(व्यवधान)

MR. CHAIRMAN: I did not hear anything. जब सब चिल्लाते हैं तो कुछ सुनाई नहीं देता है...(व्यवधान)

SHRI PARVATHANENI UPENDRA: He should withdraw, Sir.

श्री सभापतिः मैंने नहीं सुना उन्होंने क्या कहा...(व्यवधान)

SHRIMATI RENUKA CHOWDHURY: Does he deny that?

SHRI ANAND SHARMA: Let me make one thing very clear. First ask what she said against the Minister, what words she used for the Minister when he was speaking. She said this man is the...*(Interruptions)*

SHRIMATI RENUKA CHOWDHURY: Why didn't you object to that at that time? *(Interruptions)*

SHRI ANAND SHARMA: Let her answer yes or no. The House cannot be held at ransom by one Member of the Opposition, who wrongly accuses every Member of the Treasury Bench. She shouts at everybody. The House is witness. *(Interruptions)* I seek your indulgence, Sir.

SHRIMATI RENUKA CHOWDHURY: Let him say what he had said. *(Interruptions)* इनसे पूछ लीजिए इन्होंने कहा है या नहीं?...(व्यवधान)

श्री सभापति : यह डिबेट का तरीका है क्या? आप लोग बैठ जाइए उनको बोलने दीजिए। Mr. Chidambaram is on his legs. *(Interruptions)* I don't know how it started. Mr. Chidambaram was speaking and I had put a question to him. That is all *(Interruptions)*

SHRI ANAND SHARMA: I seek your protection, Sir.

MR. CHAIRMAN: Mr. Sharma, at present Mr. Chidambaram is speaking. *(Interruptions)*

SHRI ANAND SHARMA: I seek your protection as a Member of this House. *(Interruptions)*

MR. CHAIRMAN: But you cannot disturb your own partymen at least.

MR. ANAND SHARMA: A false charge has been levelled by this lady Member. *(Interruptions)*I want to explain...*(Interruptions)*...this lady Member has developed a habit...*(Interruptions)*

MR. CHAIRMAN: There is no question of lady and male here. Everybody is equal. *(Interruptions)*

यहां कोई महिला या पुरुष का सवाल नहीं है, सब बराबर हैं....(**व्यवधान**)...

SHRI ANAND SHARMA: Sir, I strongly object. *(Interruptions)*

SHRIMATI RENUKA CHOWDHURY: Let him deny. *(Interruptions)* Let him have the guts. *(Interruptions)* If he has the courage to say what he had said. दोबारा कहने की इनमें हिम्मत है?

SHRI ANAND SHARMA: I do not require a certificate from this woman. *(Interruptions)*

श्री सभापति : आपकी क्या बातें होती रहती हैं, मैंने नहीं सुनी। मैं रेकार्ड देख लूंगा... आप लोग बैठ जाइए। अब उनको सुनने दीजिए...

SHRI ANAND SHARMA: You have no right to speak. *(Interruptions)*

श्री सभापति : आप लोग बैठ जाइए। बाहर जाकर बात कर लेना दोनों। आप दोनों तसल्ली में बात कर लेना...(**व्यवधान**)

SHRIMATI RENUKA CHOWDHURY: You are a* *(Interruptions)*

SHRI ANAND SHARMA: I will say plenty of times. *(Interruptions)*

MR. CHAIRMAN: Please sit down. I will see the record and see what is what. Please sit down, Mr. Sharma. *(Interruptions)* Please sit down. I will see the record. *(Interruptions)* Now, Mr. Chidambaram. *(Interruptions)* No, this is not the way. I will see the record. Now, Mr. Chidambaram. *(Interruptions)*

SHRI YASHWANT SINHA (Bihar): I am on a point of clarification. *(Interruptions)*

MR. CHAIRMAN: No more discussion on this issue. Yes, Mr. Chidambaram . *(Interruptions)*

SHRI ANAND SHARMA: Sir, I request you...*(Interruptions)*

श्रीमती रेणुका चौधरी :बोलो तुमको हिम्मत है कहने की जो तुमने कहा...(**व्यवधान**)

MR. CHAIRMAN: I have called Mr. Chidambaram. I have said, I will see the record. Before that I am not going to decide anything. *(Interruptions)* Please sit down. *(Interruptions)* Mr. sharma, please sit down. *(Interruptions)* No, you sit down. *(Interruptions)* मैंने कह दिया कि मैं रेकार्ड में देखूंगा। अब आप लोग बैठ जाइए और कार्यवाही चलने दीजिए। ...(**व्यवधान**)

SHRI ANAND SHARMA: This lady should be reprimanded. *(Interruptions)*

MR. CHAIRMAN: Please sit down. The House is not a place to quarrel. *(Interruptions)* मैंने कह दिया है कि मैं रेकार्ड

*Expunged as ordered by the Chair.

[Mr. Chairman]

ूंगा। Now, Mr. Chidambaram. the louse has got to discuss the Union ublic Service Commission's report and e have also got to discuss this Thakkar ommission's report. So, here what I nd in their speeches only one question hich they have been repeating that ther parts of the proceedings and other ings, whatever it is, should be made vailable to the Leaders of the Opposions. Now, it is up to you to say what ou want to say...*(Interruptions)*...

SHRI P. CHIDAMBARAM: Sir, the hairman will show me his indulgence r a few minutes. I am entirely in your ands. I have consulted the Leader of e House. I think it would be necessary r the Government to take just three or ur minutes to explain the background ecause a lot of disinformation is being id...*(Interruptions)*...and we have to xplain the background. I only want ree or four minutes...*(Interruption*-...They spoke for 1½ hours. Cannot ur Government get three or four inutes...*(Interruptions)*... This is unfair, r.

SHRI PARVATHANENI UPENDRA: You say "yes" or "no"...*(Interruptions)*...

SHRI P. CHIDAMBARAM : I have eard him for 1½ hours. So what is that ey are frightened about? I am sure, r, the Leaders of the Opposition whom have patiently heard for an hour and) minutes will show me the indulgence id hear me for five minutes...*(Interrupons)*... You hear me for five minutes. I ill tell you what is necessary...*(Interruptions)*..I will take three or four inutes for the background and I will ve the answer in five minutes. Therere, what was given to us, submitted by e Commission to the Home Minister the 19th November, 1985, is what is escribed an interim report which is reala first report on three terms of referice.

SHRI B. SATYANARAYAN REDDY : We all know about that.

SHRI P. CHIDAMBARAM : How an elderly gentleman has no patience at all? If I do not have patience I can understand. Nothing that you say is new to us...*(Interruptions)*...

MR. CHAIRMAN : You go on.

SHRI P. CHIDAMBARAM : Sir, similarly, the Commission after going into other two terms of references gave us a report on the 27th of February, 1986 which is only this volume which is described as the final report. It says in para 1.6.1, 1.6.3...*(Interruptions)*...

श्री सभापति : आप पांच मिनट तो सुन लीजिए।

श्री बी. सत्यनारायण रेड्डी: हमने यह सब कुछ पढ़ लिया है ।

श्री सभापति: पढ़ लिया है तो सुन भी तो लें।

SHRI P. CHIDAMBARAM : I am ashamed by the lack of courtesy. I can only be ashamed by this lack of courtesy. We have heard you for the three days...*(Interruptions)*... Why should I not lose my patience ?

श्री बी. सत्यनारायण रेड्डी : यह सब पढ़ा हुआ है।

श्री सभापति : सब बोल चुके हैं। इनको सुनने में क्या दिक्कत है। आप बैठ जाइये।

SHRI P. CHIDAMBARAM : You don't preach to us. I do not have to listen to you. A person who does not show the courtesy of listening to me...*(Interruptions)*...Sir, on the 27th February, 1986 what was given to us was only the final report and although para 1.6.1 and 1.6.3 and 1.6.5 refers to cer-

tain papers, again, I would humbly ask the question : what are these paper and when did they come to us? Sir, Government's submission to the Chair is that these papers are material show cause notices, replies received thereto, interrogatories, responses, references made by the Commission to a large number of people. Over the period, about a year or so, the Commission has collected all these materials. As the Commission itself says in para 1.6.3, it has used this material, it has drawn upon this material to make its report, to write this report. That is what the Commission says in para 1.6.3. To the same effect - I will not quote it now if the substantive discussions will start—is the judgement of the Supreme Court in Kehar Singh's case paragraph 40 where they say "material is/what is collected by the Commission, report is what is made by the Commission to the Government and comes to the Government as a report."

There is a wealth of material before the Commission. The facts are on our side. I have with me a large number of Commission reports— I quoted this in the other House and I won't quote it here—but I would only say, we have the Commission which went into the death of Mahatma Gandhi; we have the Commission which went into Shri Deen Dayal Upadayaya's case; we have the Commission which went into Shri Lalit Narayan Mishra's death; we have the Commission which went into Netaji Subhash Chandra Bose's disappearance; we have also the Justice Shah Commission which was appointed by the Janata Government; we have also the Justice Jagan Mohan Reddy Commission which went into Nagarwals's case. A wealth of material was collected and that material constitutes records, constitutes the base material collected. by the Commission for the purpose of making a report. *(Interruptions)*.

SHRI ALADI ARUNA *alias* V. ARUNACHALAM: I am on a point of order.

MR. CHAIRMAN: What is your point of order? *(Interruptions)*

SHRI ALADI ARUNA *alias* V. ARUNACHALAM: Sir, in the final report itself, recommendations and observations of Justice Thakkar are consisting of 149 pages. The rest of the portions are materials. Why is the Government selective and discriminating in giving that material to this house? That is the point.

SHRI P. CHIDAMBARAM: Sir, it is not a point of order. It is a point of debate. It is a point which he should advance in the debate on the substantive resolution and I will answer it in the substantive resolution. The point is, therefore, to conclude, this is material which does not constitute report. The Secretary to the Commission, when he wrote to us on the 21st of March, 22 days after the final report was submitted- I have repeated it several times- 22 days after the final report was submitted-forwards us a whole lot of documents bound together which he calls secret records of the Commission. Those are the records with us. They did not form part of the report. No part of the report is being witheld and, therefore, the Government having fulfilled its statutory obligation under section 3 sub section 4 by laying the whole of the report in two volumes before the House, I would humbly urge your indulgence, I crave your indulgence to submit that the Government has considered the matter carefully and in respect of the other records, the Government says it is not part of the report, there is no obligation to place it and there is also an over-riding public interest that those documents should remain where they are, as secret records sent by the Commission to the Government.

SHRI PARVATHANENI UPENDRA: What about the second part?

MR. CHAIRMAN: They want a reply to one question, that is, as it happend in Tulmohan Ram's case, are you willing to show your papers to the leaders of the Opposition?

SHRI P. SHIV SHANKER: May I just make a submission? Sir, yesterday, quite a lot of time was spent in the discussion on this issue in the House about the full report or the documents and the material part. I would not like to go into that because quite a lot has been discussed. Some of the Members have cited the of the Supreme Court only to make out a case that a material is different from a report. Now, I would like to submit that, as my friend has already said, the entire report which is a report according to us, within the meaning of section 3 sub section 4, has been made available to the House, Now, the question is: I did not go into that but I thought I should go into that. My friend has made a reference. Even with reference to the Thakkar Natarajan Commission report on Fairfax, it was only the report that was laid. No other material was laid on the Table of the House. (*Interruptions*)... I am coming to that, Sir, and neither any of the Opposition leaders, at that point of time, had ever craved the indulgence of the court to produce those documents.The submission is that in Tul Mohan Ram's case, it was a CBI report. It was only a CBI report which was shown to some of the leaders of the Opposition. The Government at that time felt that that CBI report should be shown. Now, here, they are not coming forth with any particular document. They say that all the documents, material... (*Interruptions*).

SHRI B. SATYANARAYAN REDDY: What are they saying... (*Interruptions*).

SHRI P. SHIV SHANKER: It is you who are saying. I am not saying anything. Those documents...(*Interruptions*)...Are you interested to see the ...(*Interruptions*).

SHRI DIPEN GHOSH: What does part 1 (a) consist of? Does it consist of proceedings, replies to questionnaire, replies to interrogations?

SHRI P. SHIV SHANKER: Therefore, they want the whole lot of the documents. (*Interruptions*). Your case had been ... (*Interruptions*).

SHRI DIPEN GHOSH: What does part 1 (a) consist of?

श्री अटल बिहारी वाजपेयी : सभापति जी एक स्पेसिफिक माँग की गई है कि एस०आई०टी० की रिपोर्ट सभा पटल पर रखी जाय, या हमे दिखाई जाय।

SHRI P. SHIV SHANKER: SIT report is a different thing. SIT report does not form part of the Thakkar Commission Report at all. Please do not forget it.

SHRI ATAL BIHARI VAJPAYEE: But there is a reference to that. (*Interruptions*).

SHRI P. SHIV SHANKER: Our friends seem to be wholly confused.

SHRI DIPEN GHOSH: What does part 1(a) consist of? You please tell us. Does it consist of proceedings?

SHRI P. SHIV SHANKER: SIT report is not part of the Thakkar Commission Report. Now, the point is...

श्री अटल बिहारी वाजपेयी: सभापति जी। हम लोग जानते है कि एस०आई०टी० की रिपोर्ट इसका हिस्सा नहीं है। लेकिन चर्चा के लिये एस०आई०टी० की रिपोर्ट हमारे पास होना जरुरी है।

SHRI P. SHIV SHANKER: That is a new argument you are developing. (*Interruptions*). Sir, from the fact that in no other case they have asked for any other documents, I am sure that they are finding nothing in the report and they would

like to make a political issue as they have been trying to do. They merely want that before the nation... *(Interruptions)*

SHRI PARVATHANENI UPENDRA: We are trying to find the truth.

SHRI DIPEN GHOSH: We are all political beings. We have not come to a religious ... *(Interruptions)*.

SHRI M.S. GURUPADASWAMY: You are importing wrong motives to the whole discussion. Please do not import wrong motives to this discussion.

SHRI P. SHIV SHANKER: As I said yesterday, it would not be fair that only these documents should be shown, as they are demanding, to the leaders of the Opposition. It would involve the issue of a privilege of the Members of this House as a whole. It is a case of showing them, it is also equally a case of laying it on the Table of the House and in the public interest, there is no case where we see...*(Interruptions)*. In larger interests, there is no case that these documents should be shown even to the Members of the Opposition, leaders of the Opposition.

SHRI DIPEN GHOSH: I am on a point of clarification.

SHRI M.S. GURUPADASWAMY: Sir, he made two suggestions. *(Interruptions)*.

MR. CHAIRMAN: Now, Mr. Advani will speak. I will give my verdict after that. *(Interruptions)*.

SHRI YASHWANT SINHA: I am just on a simple point of clarification. The Minister of State for Home has just now told us the date on which the interim report was received, the date on which the final report was received and the date on which the records were transmitted to the Home Ministry. I would like to humbly ask the Minister of State for Home, through you, Sir, to give us the date on which page 141 of the final report was received.

SHRI RAM JETHMALANI (Karnataka): Which is marked as 141(a) in my copy.

SHRI YASHWANT SINHA: In my copy there are two 141s.

SHRI PARVATHANENI UPENDRA: There is a repetition, Sir. *(Interruptions)*.

MR. CHAIRMAN: Now, Mr. Advani. *(Interruptions)*.

SHRI P. SHIV SHANKER: We have made the position clear, Sir. We have made our side clear.

SHRI LAL K. ADVANI: Mr. Chairman, Sir, I say what I say conceding what the Minister of State has said in respect of what the Report is and what the records are.

SHRI P. CHIDAMBARAM: Thank You.

SHRI LAL K. ADVANI: I would agree with him that, as in the past, records are not placed on the Table of the House. In fact, I would emphasise that this entire controversy has never been a legal one alone. In fact, there was no obligation on the Government till the 17th to place even a single page of the Report on the Table of the House. After all, the Commissions of Inquiry Act had been amended to empower the Government to withhold any Report on grounds of public interest. A formal resolution had been adopted by the Lok Sabha empowering the Government to withhold the Report. So, there was no statutory obligation on the Government to place even a single page on the Table of the House. How did this arise? It arose from a statement made by the Prime Minister himself in the Lok Sabha.

SHRI P. SHIV SHANKER: He is starting a whole debate.

SHRI LAL K. ADVANI: I am not debating; I am not debating. What I am saying is why we are demanding this Report. Why are we demanding this Report? Maybe some of my colleagues....*(Interruptions)*...Let me complete; I will take a few minutes only.

After all, what is the rationale? The rationale is provided by the Prime Minister himself when he said, "I do not want any innuendoes and rumours to go round. I want that the people should feel reasured that everything that needed to be done in this particular case had been done by the Government and the Government is clean." It is, therefore, that they decided even though there was no statutory obligation on the part of the Government to place even a single page of this Report on the Table of the House, to make this offer and voluntarily come-out not only with the Report but even to go to the length of rescinding the earlier resolution of the Lok Sabha which is very rarely done.

Now it is in that light that we in the Opposition have been trying to plead with the Government that what they are doing is going to go and militate against what the Prime Minister has said...*(Interruptions)*...

SOME HON. MEMBERS: No, no....*(Interruptions)*...

SHRI LAL K. ADVANI: Mr. Chairman, Sir, after all, I have listened very carefully to everyone...*(Interruption)*...I have listened very carefully to everyone, and my friend, Shri Salve- said that he has gone through the two Volumes from cover to cover. I have also spent that much of time going from cover to cover and after going through that, I find that the Thakkar Commission's recommendations have been cast aside on the basis of the Special Investigation Team's Report. How do I know....*(Interruptions)*....How do I know what it contains? *(Interruptions)*....what I am saying is, Mr. Chairman, Sir, that if we are to discuss the Thakkar Commission Report, how we can discuss it without knowing why those recommendations have been cast aside and it is, therefore, that I find that they have not explained as to why the Anandran Report is not being laid on the Table of the house. this is what I wanted to submit.

MR. CHAIRMAN: After so many days and so many hours of discussing this- on the 27th March 1989, the Government laid on the Table of the house copies of the documents entitled "Report of Justice Thakkar Commission of Inquiry on the Assassination of the late Prime Minister, Shrimati Indira Ghandhi", in two Volumes, one captioned as "Interim Report"and the other as "Final Report".

In terms of sub-section (4) of section 3 of the Commission of Inquiry Act, 1952, it was not mandatory on the part of the Government to lay a copy of the Report of the Thakkar Commission on the Table of the Rajya Sabha. Government were, however, following the established convention of tabling a copy of the documents in the House consequent on doing it in the other House.

A point debated on the floor of the House has been as to whether or not Government had tabled the Report in entirety. Government's stand has been that the statutory requirements under section 3(4) of the Act have been complied with. Government informed me that certain papers, with the Attorney-General's advice, comprised documents available to the Commission and proceedings of the Commission, and not falling within the meaning of the word 'report' under section 3(4) of the Act and were not placed on the Table of the Rajya Sabha or the other House. So, the Government also offered that the papers, if I so desired, may be seen by me in order to satisfy

myself that these papers are only proceedings of the Commission. On the part of the Opposition parties and groups it was suggested to me that Government could take them into confidence about the papers not tabled with a view to giving them an opportunity to satisfy themselves about the nature of those papers. In view of certain precedents in this regared connected with the House, I referred the suggestion to the Leader of the House.

Consesquent to the Attorney-General's opinion having been conveyed and the ruling of the Speaker in the matter, it is, in my view, now entirely up to the Government to take appropriate decision under the relevant law and circumstances of the matter. I, as Chairman of the Rajya Sabha, am not in a position to direct Government to do or not to do anything on this issue. *(Interruptions)*

SHRI DIPEN GHOSH : On a point of clarification, Sir. (*Interruptions*)

SHRI N.K.P. SALVE: No debate on the ruling.

SHRI M.S. GURUPADASWAMY: May I state the stand of the opposition, Sir, after hearing your ruling?

We understand fully and appreciate your stand and the limitation under which you have issued your ruling. Sir, it is our considered view that the Government has not cared to respond to our reasonable request. We gave choices and they have spurned all the choices which we have made. They have forgotten, Sir, that Parliament, for its healthy functioning, should have the cooperation and support of the Opposition also. We, in our view, have taken a very reasonable stand. We have only requested that we should be taken into confidence by the Government. The argument of the Leader of the House is not at all convincing.*(Interruptions)* Please bear with me.

AN HON. MEMBER: We always bear with you.

SHRI M.S. GURUPADASWAMY: It was made out that showing the records to the leaders of the opposition will, by implication, be denying the records to other Members of the House. That is not our intention at all. We wanted to make it easy for the Government to take the leaders into confidence and to convince them about their position. They have refused to do so. It is unfortunate.

Sir, the stand of the Government is unreasonable, inflexible and irresponsive. They have repudiated their accountability to Parliament and they have unnecessarily created suspicion in the public mind. On the very first day I said that public suspicion is nore lethal than any weapon and they will have to pay the price. They will have to pay the price for the stand they have taken. I warn them. *(Interruptions)* I am not yielding.

SHRI P. SHIV SHANKER: He seems to be sermonising us. What is it that he wants to say?

SHRI M.S. GURUPADASWAMY: I never disturbed you.

SHRI P. SHIV SHANKER: This is another way of politicalising the issue. You want to politicalise every moment. *(Interruptions)* This is not the way. *(Interruptions)*

SHRI M.S. GURUPADASWAMY: They should show the courtesy of listening to me *(Interruptions)* We do not subscribe to the theory of the Government of keeping the records from the House. Therefore, Sir, any debate on this report will be infructuous and tentative and will not be able to draw out

[Shri M. S. Gurupadaswamy]

the whole truth. It will not serve any purpose. Therefore, in protest, we, the Opposition Members, cannot cooperate with the Government in this matter and we walk out.

(At this stage some hon. Members left the Chamber.)

[The Deputy Chairman in the Chair.]

THE DEPUTY CHAIRMAN: Now we take up Special Mentions. Shri Satya Pal Malik—not here. He has walked out. Shri N. E. Balaram, Shri Chaturanan Mishra, Shri E. Balanandan, Shri Baikuntha Nath Sahu, Shri Gurudas Das Gupta, Shri Mohammed Amin, Shri Sukomal Sen—not here. Shri Shanti Tyagi.

SPECIAL MENTIONS

Inadequate Compensation Paid to Farmers for their Land Acquired by Development Authorities in UP, etc.

श्री शान्ति त्यागी (उत्तर प्रदेश): मैडम, लगभग सभी राज्यों में राज्य सरकारों की आवास एजेंसियां किसानों की जमीनों का मनमाने रेट पर अधिग्रहण कर रही हैं। हमारे उत्तर प्रदेश में किसानों को उनकी जमीन का उचित मुआवजा नहीं मिल रहा है। जगह-जगह किसान आवास एजेंसियों के खिलाफ आन्दोलन कर रहे हैं। मैडम, नौएडा में, गाजियाबाद में, मेरठ में, लखनऊ में और इलाहाबाद में तथा और भी शहरों में किसान अपनी लड़ाई लड़ रहे हैं। सरकार मुफ्त में बदनाम हो रही है, जबकि सरकार की नीति यह है कि ज्यादा से ज्यादा लोगों को सस्ते मकान मिलें।

मैडम, हो यह रहा है कि उत्तर प्रदेश के जो विकास प्राधिकरण हैं वे किसानों को उनकी जमीन का मुआवजा 60 पैसे से ले करके दो रुपये प्रति वर्ग फुट देना चाहते हैं, जबकि यू० पी० में हाई कोर्ट ने और यू० पी० की सरकार ने भी यह आदेश और निर्देश दिया है कि किसानों को उनकी जमीन का बाजार दर से मुआवजा दिया जाए। यह हाई कोर्ट का भी आदेश है और सरकारी आदेश भी है। इसके विपरीत, जो भी प्राधिकरण है जी० डी० ए० है, एम० डी० ए० है, जहां भी कोई प्राधिकरण हैं, और सब जगह हैं, इन आदेशों के विपरीत ये प्राधिकरण जमीन के प्लाट काट कर और मकान बना कर जो मकानों के प्लाट के खरीदार हैं उनसे बाजार रेट से भी ज्यादा पैसे चार्ज कर रहे हैं और मनमानी लूट कर रहे हैं। किसानों को लूट रहे हैं और जो मकान और प्लाटों के खरीदार हैं उनकी लूट कर रहे हैं।

मैडम, आपका बहुत शुक्रिया कि आपने मुझे स्पेशल मेंशन मूव करने का मौका दिया और आपके माध्यम से मैं सरकार से यह अनुरोध करता हूं कि वह आवास एजेंसियों को जो उत्तर प्रदेश में खास कर काम कर रही हैं, उनको हिदायत करें कि जमीनें बाजार रेट पर ही खरीदी जाएं और किसानों की जो जमीन ली जाए उन जमीनों की रकम का पेमेंट उन्हें अविलम्ब किया जाए और जहां भी जो एरियर बाकी है, किसानों की जमीन जो आवास एजेंसियों ने खरीद ली है लेकिन पेमेंट अभी नहीं हुआ है, तो उस एरियर का पेमेंट भी किया जाए। मैडम, आपकी इतलाह के लिए, आपको यह सुनकर ताज्जुब होगा कि उत्तर प्रदेश में किसानों का कहना यह है कि करीब-करीब 500 करोड़ रुपया उनकी जमीनों का आवास एजेंसियों के ऊपर अभी एरियर बाकी है। इसलिए इस एरियर का भी पेमेंट हो, जमीन बाजार दर पर ली जाए और जो भी जमीन ली जाए उसका पेमेंट अविलम्ब हो। धन्यवाद।

श्री राम चन्द्र विकल (उत्तर प्रदेश): उपसभापति महोदया, मैं आपका आभार मानता हूं कि आपने मुझे एक विशेष महत्व का प्रश्न उठाने की आज्ञा दी है। उप सभापति महोदया, उत्तर प्रदेश ही नहीं देश के सभी प्रांतों में चाहे दिल्ली हो, चाहे महाराष्ट्र हो, चाहे तमिलनाडु हो, चाहे केरल हो, चाहे बंगाल हो, जहां-जहां पर ये विकास प्राधिकरण नाम की चीज़ें चालू हुई हैं वहां पर किसानों की उपजाऊ जमीन ली जा रही है जो कि नियमानुसार नहीं लेनी चाहिए। दूसरा, जो मेरा इसी से जुड़ा हुआ सवाल है, उप सभापति महोदया, मुझे अभी यह मालूम हुआ है, संयोग से कृषि मंत्री श्री भजन लाल जी यहां मौजूद हैं, वह जरा हमारी बात ध्यान से सुन लें क्योंकि आप ही से यह संबंधित है। मैं यह कर रहा था, उपजाऊ जमीन न ली जाय। जहां सिंचित जमीन है, सिंचाई का पानी आता है, ट्यूबवेल हैं, उस उपजाऊ जमीन को आबादी में ले लेना और असिंचित भूमि के लिए बहुत दूर-दूर तक पानी ले जाना, यह दोनों ही बातें ऐसी हैं पानी पहुंचाया जाए, लेकिन उपजाऊ जमीन हरगिज न ली जाय।